

AMENDMENTS TO THE DRAWINGS

The attached replacement sheet, which includes FIG. 2, replaces the original drawing sheet including FIG. 2.

Attachment: Replacement Sheet of FIG. 2

REMARKS

Claims 1-24 are pending in this application. Claims 1 and 14 are independent claims. Claim 1, 5, 14 and 20 are amended.

Drawings

The Examiner objects to FIG. 2 under 37 CFR §1.84(p)(5) because FIG. 2 does not depict numerals 215a... 215n.

Applicant submits the replacement sheet of FIG. 2, which includes the reference numerals 215a... 215n, overcoming the drawing objection to FIG. 2.

The Examiner objects to FIG. 1 under 37 CFR §1.84(p)(5) because numeral 187 is not described in the specification.

Applicant has amended Paragraph 0026 of the specification to identify reference number 187 of FIG. 1.

Specification

The disclosure is objected to because of a typographical error in the spelling of the word “rates”.

Applicant has amended Paragraph 0032 to correct the typographical error.

Claim Rejections

Rejections under 35 U.S.C. §102 - Parantainer

Claims 1-3 and 14-17 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 7,092,373 (“Parantainer et al.”). This rejection is respectfully traversed.

Regarding independent claim 1, the Examiner asserts that Parantainer teaches all of the claim limitations, including a control channel that includes “fields” identifiable for different

users. Applicant asserts that Parantainer does not teach a “control channel including timeslots, each timeslot including fields identifiable by different ones of the users, each field including control signal data for a specified user”, as recited in claim 1.

As discussed in column 9, lines 22-27, Parantainer teaches “allocating a time slot for the packet data channel and control channel”, where data packets are transmitted in divisions of “time slots”. Parantainer further discloses that “according to the invention control messages that relate to different TBFs on different time slots of the downlink TDMA frame can be transmitted using common time slots of a TDMA frame” (column 9, lines 11-16) and “at least two simultaneous downlink temporary block flows is transferred on one or several downlink TDMA time slot(s)” (column 7, lines 33-35). In each of these instances, Parantainer is transmitting data within packets contained in TDMA (Time Division Multiple Access) time-slots, as opposed to transmitting data within “fields” (sub-divided time-slots). Parantainer does not teach time-slots further subdivided into “fields”, and therefore Parantainer does not teach a “control channel including timeslots, each timeslot including fields identifiable by different ones of the users”.

Independent claim 14 includes similar limitations to those discussed above with respect to claim 1. Therefore, Applicant believes claim 14 is patentable for at least the same reasons as those stated above with respect to claim 1.

For at least the reasons stated above, Applicant believes that independent claims 1 and 14 are not anticipated and therefore these claims are believed to be patentable. For at least the same reasons, Applicant believes dependent claims 2-3 and 15-17 are also patentable. Therefore, Applicants respectfully request that this rejection of claims 1-3 and 14-17 under 35 U.S.C. §102 be withdrawn.

Rejections Under 35 U.S.C. § 103 – Parantainer in view of Sawada

Claims 4-7, 18 and 20-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. Parantainer et al. in view of U.S. Patent No. 7,088,683 (“Sawada et al.”). This rejection is respectfully traversed.

Applicant submits that Sawada fails to cure the deficiencies of Parantainer, as discussed above with respect to independent claims 1 and 14. Accordingly, Applicant submits that dependent claims 4-7, 18 and 20-22 are patentable, for at least the same reasons as those relating to claims 1 and 14. Therefore, Applicants respectfully request that this rejection of claims 4-7, 18 and 20-22 under 35 U.S.C. §103 be withdrawn.

Rejections Under 35 U.S.C. § 103 – Parantainer in view of Tiedemann, Jr.

Claims 8 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parantainer et al. in view of U.S. Patent No. 7,054,293 (“Tiedemann, Jr. et al.”). This rejection is respectfully traversed.

Applicant submits that Tiedemann fails to cure the deficiencies of Parantainer, as discussed above with respect to independent claims 1 and 14. Accordingly, Applicant submits that dependent claims 8 and 19 are patentable, for at least the same reasons as those relating to claims 1 and 14. Therefore, Applicants respectfully request that this rejection of claims 8 and 19 under 35 U.S.C. §103 be withdrawn.

**Rejections Under 35 U.S.C. § 103 – Parantainer in view of Sawada
and further in view of Gardner**

Claims 9 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parantainer et al. in view of Sawada et al. as applied to claims 6 and 21 and further in view of U.S. Patent No. 7,146,174 (“Gardner et al.”). This rejection is respectfully traversed.

Applicant submits that Sawada and Gardner fail to cure the deficiencies of Parantainer, as discussed above with respect to independent claims 1 and 14. Accordingly, Applicant submits that dependent claims 9 and 23 are patentable, for at least the same reasons as those relating to claims 1 and 14. Therefore, Applicants respectfully request that this rejection of claims 9 and 23 under 35 U.S.C. §103 be withdrawn.

Rejections Under 35 U.S.C. § 103 – Parantainer in view of Sawada and further in view of Tiedemann Jr.

Claims 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parantainer et al. in view of Sawada et al. as applied to claim 6 and further in view of Tiedemann Jr. et al. This rejection is respectfully traversed.

Applicant submits that Sawada and Tiedemann fail to cure the deficiencies of Parantainer, as discussed above with respect to independent claim 1. Accordingly, Applicant submits that dependent claims 10-12 are patentable, for at least the same reasons as those relating to claim 1. Therefore, Applicants respectfully request that this rejection of claims 10-12 under 35 U.S.C. §103 be withdrawn.

Rejections Under 35 U.S.C. § 103 – Parantainer in view of Proctor, Jr.

Claims 13 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parantainer et al. in view of U.S. Patent No. 7,218,623 (“Proctor, Jr.”). This rejection is respectfully traversed.

Applicant submits that Proctor fails to cure the deficiencies of Parantainer, as discussed above with respect to independent claims 1 and 14. Accordingly, Applicant submits that dependent claims 13 and 24 are patentable, for at least the same reasons as those relating to

claims 1 and 14. Therefore, Applicants respectfully request that this rejection of claims 13 and 24 under 35 U.S.C. §103 be withdrawn.

CONCLUSION

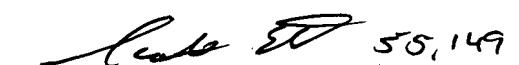
In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By

 55,149

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